

UNITED STATES DISTRICT COURT

Southern

District of

New York

NIPPONKOA INSURANCE COMPANY
LIMITED--US BRANCH

SUMMONS IN A CIVIL ACTION

v.

RAIL EXPRESS, INC. d/b/a REX
TRANSPORTATION COMPANY

CASE NUMBER:

07 CIV. 9579

TO: (Name and address of Defendant)

JUDGE SULLIVAN

Rail Express, Inc.
400 East Main St.
Barrington, IL 60010-3219

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Maloof Browne & Eagan
411 Theodore Fremd Ave, Suite 190
Rye, NY 10580
Tel: (914) 921-1200
Fax: (914) 921-1023

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

CLERK

DATE

OCT 26 2007

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	10/31/2007
NAME OF SERVER (PRINT) <i>LORI GONZALEZ</i>	TITLE <i>Process Server</i>	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted: <input checked="" type="checkbox"/> Other (specify): <i>Corporate Serve on Daniel Frommeyer, attorney for Rail Express Inc</i>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>10/31/2007</u> Date	<u><i>Lori Gonzalez</i></u> <small>Signature of Server</small>	
<u>917 Lint Avenue, Schaumburg, IL</u> <small>Address of Server</small> <u>60193</u>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

**CAPITAL Security & Investigations, Inc.**

917 Lunt Ave. • Schaumburg, IL 60193 • (847) 524-0711 • Fax: (847) 524-5889

ENDORSEMENT OF SERVICE AND AFFIDAVITDate Received 10/29/2007

Plaintiff

Case Number 07CIV.9579

Type of Service	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Normal	RUSH

Nipponkoa Insurance Company

Vs.

Defendant

Rail Express Inc. d/b/a Rex Transportation Company

Last Serve Date (if any):

Name Rail Express Inc d/b/a Rex Transportation

Service Address

400 E. Main StreetBarrington, IL 60010PHONE: 847-874-4000

Attorney or Firm

LEGAL EASE INC.

139 FULTON STREET

NEW YORK, NY 10038

FAX: 212-393-9796

County of COOKILLINOISPersonal Service: By leaving a copy of the Summons and Complaint with the Named Defendant Personally.Substitute Service: By leaving a copy of the Summons and Complaint at the Defendant's usual place of abode with some person of the family, of the age of thirteen (13) years or upwards, and informing that person of the contents thereof.X Corporate Service: By leaving a copy of the Summons and Complaint with the registered agent, or agent of the defendants corporationBY: Printed Name of Process Server: Lori Gonzalez License #: 117-001004/115-001430Writ X Served on Daniel F. Hammeyer - Attorney for Rail Express, Inc.Sex M M/F Race W Age 50 Ht. 5'10" Wt. 180 Hair Brown GlassesThis 31st day of October 2007 Time 8:30 (A.M.) P.M.)Additional Remarks: phone # 847-381-1021 (Office was on 1st Floor)The Named Defendant Was Not Served.Type of Building: Office building

Neighbors Name: _____

Address: _____

ATTEMPTED SERVICES

DATE	TIME (AM/PM)	COMMENTS
_____	_____	_____
_____	_____	_____
_____	_____	_____

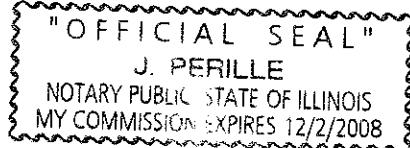
Comments: _____

Signed and Sworn to (or Affirmed) by



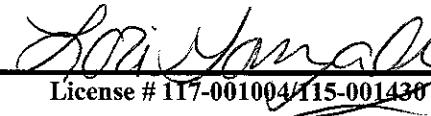
Notary Public
before me, this 31st day of October-07

Seal

**Fee For Service** _____

I certify that I have no interest in the above action; I am a Processes Server in good standing and served all Documents given to me in this matter.

By:



Lori Gonzalez
License # 117-001004/115-001430